



General Assembly

Amendment

February Session, 2010

LCO No. 3676

HB0551803676HR0

Offered by:

REP. MINER, 66th Dist.

REP. CHAPIN, 67th Dist.

REP. HETHERINGTON, 125th Dist.

To: House Bill No. 5518

File No. 462

Cal. No. 271

"AN ACT CONCERNING THE OFFICE OF STATE ETHICS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 1-80 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2010*):

5 (a) There shall be an Office of State Ethics that shall be an
6 independent state agency and shall constitute a successor agency to the
7 State Ethics Commission, in accordance with the provisions of sections
8 4-38d and 4-39. Said office shall consist of an executive director,
9 general counsel, ethics enforcement officer and such other staff as
10 hired by the executive director. Within the Office of State Ethics, there
11 shall be the Citizen's Ethics Advisory Board that shall consist of nine
12 members, appointed as follows: One member shall be appointed by the
13 speaker of the House of Representatives, one member by the president
14 pro tempore of the Senate, one member by the majority leader of the

15 Senate, one member by the minority leader of the Senate, one member
16 by the majority leader of the House of Representatives, one member by
17 the minority leader of the House of Representatives, and three
18 members by the Governor. Members of the board shall serve for four-
19 year terms which shall commence on October 1, 2005, except that
20 members first appointed shall have the following terms: The Governor
21 shall appoint two members for a term of three years and one member
22 for a term of four years; the majority leader of the House of
23 Representatives, minority leader of the House of Representatives and
24 the speaker of the House of Representatives shall each appoint one
25 member for a term of two years; the president pro tempore of the
26 Senate, the majority leader of the Senate and the minority leader of the
27 Senate shall each appoint one member for a term of four years. No
28 individual shall be appointed to more than one four-year term as a
29 member of the board, provided, members may not continue in office
30 once their term has expired and members first appointed may not be
31 reappointed. No more than five members shall be members of the
32 same political party. The members appointed by the majority leader of
33 the Senate and the majority leader of the House of Representatives
34 shall be selected from a list of nominees proposed by a citizen group
35 having an interest in ethical government. The majority leader of the
36 Senate and the majority leader of the House of Representatives shall
37 each determine the citizen group from which each will accept such
38 nominations. One member appointed by the Governor shall be
39 selected from a list of nominees proposed by a citizen group having an
40 interest in ethical government. The Governor shall determine the
41 citizen group from which the Governor will accept such nominations.

42 (b) All members shall be electors of the state. No member shall be a
43 state employee. No member or employee of such board shall (1) hold
44 or campaign for any public office; (2) have held public office or have
45 been a candidate for public office for a three-year period prior to
46 appointment; (3) hold office in any political party or political
47 committee or be a member of any organization or association
48 organized primarily for the purpose of influencing legislation or

49 decisions of public agencies; or (4) be an individual who is a registrant
50 as defined in subsection (q) of section 1-91.

51 (c) Any vacancy on the board shall be filled by the appointing
52 authority having the power to make the original appointment. An
53 individual selected by the appointing authority to fill a vacancy shall
54 be eligible for appointment to one full four-year term thereafter. Any
55 vacancy occurring on the board shall be filled within thirty days.

56 (d) The board shall elect a chairperson who shall, except as
57 provided in subsection (b) of section 1-82 and subsection (b) of section
58 1-93, preside at meetings of the board and a vice-chairperson to
59 preside in the absence of the chairperson. Six members of the board
60 shall constitute a quorum. Except as provided in subdivision (3) of
61 subsection (a) of section 1-81, subsections (a) and (b) of section 1-82,
62 subsection (b) of section 1-88, subdivision (5) of section 1-92,
63 subsections (a) and (b) of section 1-93 and subsection (b) of section 1-
64 99, a majority vote of the members shall be required for action of the
65 board. The chairperson or any three members may call a meeting.

66 (e) Any matter before the board, except hearings held pursuant to
67 the provisions of subsection (b) of section 1-82 or subsection (b) of
68 section 1-93, may be assigned by the board to two of its members to
69 conduct an investigation or hearing, as the case may be, to ascertain
70 the facts and report thereon to the board with a recommendation for
71 action.

72 (f) Members of the board shall be compensated at the rate of two
73 hundred dollars per day for each day they attend a meeting or hearing
74 and shall receive reimbursement for their necessary expenses incurred
75 in the discharge of their official duties.

76 (g) The board shall not be construed to be a board or commission
77 within the meaning of section 4-9a.

78 (h) The members and employees of the Citizen's Ethics Advisory
79 Board and the Office of State Ethics shall adhere to the following code

80 of ethics under which the members and employees shall: (1) Observe
81 high standards of conduct so that the integrity and independence of
82 the Citizen's Ethics Advisory Board and the Office of State Ethics may
83 be preserved; (2) respect and comply with the law and conduct
84 themselves at all times in a manner which promotes public confidence
85 in the integrity and impartiality of the board and the Office of State
86 Ethics; (3) be faithful to the law and maintain professional competence
87 in the law; (4) be unswayed by partisan interests, public clamor or fear
88 of criticism; (5) maintain order and decorum in proceedings of the
89 board and Office of State Ethics; (6) be patient, dignified and courteous
90 to all persons who appear in board or Office of State Ethics
91 proceedings and with other persons with whom the members and
92 employees deal in their official capacities; (7) refrain from making any
93 statement outside of a board or Office of State Ethics proceeding,
94 which would have a likelihood of prejudicing a board or Office of State
95 Ethics proceeding; (8) refrain from making any statement outside of a
96 board or Office of State Ethics proceeding that a reasonable person
97 would expect to be disseminated by means of public communication if
98 the member or employee should know that such statement would
99 have a likelihood of materially prejudicing or embarrassing a
100 complainant or a respondent; (9) preserve confidences of complainants
101 and respondents; (10) exercise independent professional judgment on
102 behalf of the board and Office of State Ethics; and (11) represent the
103 board and Office of State Ethics competently.

104 (i) No member or employee of the board or Office of State Ethics
105 may (1) make a contribution, as defined in section 9-601a, to any
106 [person] public official, state employee or candidate for public office
107 subject to the provisions of this part; or (2) participate in the political
108 campaign of any candidate for public office subject to the provisions of
109 this part, including, but not limited to, (A) publicly endorsing or
110 opposing a candidate; (B) organizing, selling tickets to, promoting or
111 actively participating in a fund raising activity of a candidate, a
112 political party or a political committee; (C) directly or indirectly
113 soliciting, receiving, collecting, handling, disbursing or accounting for

114 contributions or other funds for the political campaign of any
115 candidate for public office; (D) soliciting votes in support of or in
116 opposition to a candidate on behalf of the political campaign of any
117 candidate for public office; and (E) providing any other compensated
118 or uncompensated services for the political campaign of any candidate
119 for public office.

120 (j) Members of the board shall recuse themselves from participating
121 in any proceeding or matter undertaken pursuant to this chapter that
122 involves the person who appointed such member to the board.

123 (k) No member of the board may represent any business or person,
124 other than himself or herself, before the board for a period of one year
125 following the end of such member's service on the board. No business
126 or person that appears before the board shall employ or otherwise
127 engage the services of a former member of the board for a period of
128 one year following the end of such former member's service on the
129 board.

130 (l) No member of the board may hold any other position in state
131 employment for a period of one year following the end of such
132 member's service on the board, including, but not limited to, service as
133 a member on a state board or commission, service as a judge of the
134 Superior Court or service as a state agency commissioner.

135 (m) Upon request of any aggrieved party, the board shall delay the
136 effect of any decision rendered by the board for a period not to exceed
137 more than seven days following the rendering of such decision."